

**Please read the following before completing the Application for a Variance.**

On the application provided, you will be required to explain the reason(s) for a variance request. *This explanation must be relevant to the criteria listed below:*

(Article XI, Section 111, Yadkin County Subdivision Ordinance) **Variances:**

**“Where, because of topographical or other conditions peculiar to the site, strict adherence to the provisions of this ordinance would cause an unnecessary hardship, the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this ordinance. Any variance thus authorized is required to be entered in writing in the Minutes of the Planning Board and recorded on the final plat with the reasoning set forth on which the departure was justified. All requirements for variances must be made in writing by the developer.”**

The Planning Board does not have unlimited discretion in deciding whether to grant a variance. Under the State enabling act, the Board is required to reach three conclusions as a prerequisite to the issuance of a variance:

(a) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance, where:

- If the property owner complies with the provisions of the ordinance, he can secure no reasonable return from or make no reasonable use of his property.
- The hardship claimed by the applicant results from unique circumstances related to the applicant's land.
- The hardship is not the result of the applicant's own actions.

(b) that the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit, and

(c) that in granting of the variance the public safety and welfare have been assured and substantial justice has been done.

## APPLICATION FOR A VARIANCE

TO: Yadkin County Planning Board

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Phone #: \_\_\_\_\_

Tax Map #: \_\_\_\_\_

### **VARIANCE INFORMATION**

Name of Ordinance: \_\_\_\_\_

Article and Section: \_\_\_\_\_

### **REASON FOR REQUEST**

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### **WHY DO YOU FEEL THIS VARIANCE SHOULD BE GRANTED**

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I certify I have read the cover letter and that all information presented by me in this application meets the variance criteria and is accurate to the best of my knowledge, information and belief.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_